

**IN THE UNITED STATES DISTRICT OHIO  
FOR THE NORTHERN DISTRICT OF OHIO**

**IN RE: NATIONAL PRESCRIPTION :**

**OPIATE LITIGATION :** MDL No. 2804

This document relates to : Hon. Judge Dan A. Polster

*Kentucky River District Health  
Department v. Actavis LLC et al, 1:19-OP-  
45050-DAP*

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**UCB, INC.'S MOTION FOR LEAVE TO FILE MOTION TO DISMISS**

Pursuant to Case Management Order One (Dkt. 232), UCB, Inc. (“UCB”) respectfully requests leave to file its motion to dismiss with prejudice all claims against it in *Kentucky River District Health Department v. Actavis LLC et al, 1:19-op-45050-DAP*. A copy of the motion is attached as Exhibit 1.

The motion respectfully requests that the Court dismiss UCB as a defendant in the *Kentucky River District Health Department* case, as UCB has not been properly served and Plaintiff has failed to file the required fact sheet. UCB seeks to file its motion pursuant to the Court’s Order Regarding Service of Process (Dkt. 4986), which states that “any defendant may move for dismissal with prejudice of any claim against them filed by a plaintiff that fails to comply with this Order,” and the Court’s Order Regarding Failures to Submit Plaintiff Fact Sheets (Dkt. 4985), which states the same.

Dated: July 20, 2023

Respectfully submitted,

/s/ Rachel Sherman

Rachel B. Sherman

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**CERTIFICATE OF SERVICE**

I hereby certify that on July 20, 2023, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send an electronic notification of such filing to all counsel of record in this action.

/s/ *Rachel Sherman*